

SENATE BILL No. 330

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-29.

Synopsis: Telecommunications customers. Provides that a customer of a telecommunications provider may not be billed for a new service or switched to another telecommunications provider without a written authorization signed by the customer that contains all the terms and conditions (including the rates) for the new service or the service to be provided by the new telecommunications provider. Makes conforming changes by repealing certain statutes.

Effective: July 1, 2001.

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January 16, 2001, read first time and referred to Committee on Commerce and Consumer Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 330

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-29-5 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) A customer of a
3 telecommunications provider may not be:

4 (1) switched to another telecommunications provider unless the
5 customer authorizes the switch; or

6 (2) billed for services by a telecommunications provider that
7 without the customer's authorization added the services to the
8 customer's service order.

9 (b) **A telecommunications customer is not considered to have**
10 **authorized new services by the customer's existing**
11 **telecommunications provider or a switch to a new**
12 **telecommunications provider unless the customer has signed a**
13 **written statement that satisfies all of the following conditions:**

14 (1) **The statement must contain all of the terms and conditions**
15 **of:**

16 (A) **the new service to be provided by the customer's**
17 **existing telecommunications provider; or**



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(B) the service to be provided by the new telecommunications provider.

(2) The statement must set forth all rates applicable to:

(A) the new service to be provided by the customer's existing telecommunications provider; or

(B) the service to be provided by the new telecommunications provider.

(c) Authority to change a telecommunications customer's service under this section may not become effective until the written statement is received:

(1) by the customer's current telecommunication's provider; and

(2) if the statement authorizes a switch to a new telecommunications provider, by the new telecommunications provider.

SECTION 2. IC 8-1-29-6, AS AMENDED BY P.L.135-1999, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. The commission shall adopt rules under IC 4-22-2 to implement ~~IC 8-1-29-5.5~~ **section 5 of this chapter**. The commission's rules shall ensure that a customer of a telecommunications provider is not:

(1) switched to another telecommunications provider without the customer's **written** authorization **as provided in section 5 of this chapter**; or

(2) billed for additional services by a telecommunications provider that without the customer's **written** authorization added the services to the customer's service order **as provided in section 5 of this chapter**.

The rules adopted under this section ~~must~~ **may not** be ~~consistent~~ **inconsistent** with rules adopted by the Federal Communications Commission concerning verification procedures for the switching of a customer's telecommunications provider.

SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2001]: IC 8-1-29-1.3; IC 8-1-29-1.5 ; IC 8-1-29-5.5.

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